

REMARKS

The above Amendment and the following remarks are responsive to the points raised in the Final Office Action dated February 3, 2003. The Applicant respectfully requests entry of this Amendment, favorable reconsideration of this case, and early issuance of a Notice of Allowance.

Status of the Claims

Upon entry of this Amendment, claims 1, 3-4, 11, 13-14, 21-23, 25, 28, 30-31, 36-37, 40-41, and 46-57 will have been rewritten, and claims 1-57 will be pending in the application. Claims 1, 28, and 55 are independent claims.

Response to the Objection to the Drawings and the Objection to the Specification

The Examiner objected to the drawings under 37 C.F.R. § 1.83(a) because the drawings do not show the “computer-controlled device” as claimed. The Examiner also objected to the specification under 37 C.F.R. § 1.75(d)(1) because the specification does not provide proper antecedent basis for the limitation “remotely located computer-controlled device” as claimed.

The specification describes an invention that “uses an existing paging or satellite paging system to send trigger signals or commands to operate remotely-located electronic or mechanical devices” (page 4, lines 13-14). The specification further describes that these remotely-located electronic devices include “a computer-controlled target device **150**” (page 8, line 24). FIG. 1 includes element number **150** labeled as “target device”. The Applicant respectfully asserts that the specification provides proper antecedent basis for the claimed limitation “remotely located computer-controlled device” and that the drawings show the “computer-controlled device” as claimed. Thus, the Examiner should withdraw the objection to the drawings and the objection to

the specification.

Response to the Rejection under 35 U.S.C. § 112, First Paragraph

The Examiner rejected claims 1-57 under 35 U.S.C. § 112, first paragraph, as containing subject matter that was not described in the specification in such a manner as to reasonably convey to one skilled in the art, as of the filing date, that the inventor had possession of the claimed invention. The Applicant respectfully traverses this rejection.

Independent claims 1, 28 and 55, as currently claimed, recite “a remotely located computer-controlled device”. The specification describes an invention that “uses an existing paging or satellite paging system to send trigger signals or commands to operate remotely-located electronic or mechanical devices” (page 4, lines 13-14). The specification further describes that these remotely-located electronic devices include “a computer-controlled target device 150” (page 8, line 24). FIG. 1 includes element number 150 labeled as “target device”. The Applicant respectfully asserts that the specification reasonably provides support for independent claims 1, 28, and 55. Thus, the Applicant believes that the Examiner should withdraw this rejection as to independent claims 1, 28, and 55.

Claims 2-27, 29-54, and 56-57 depend from either independent claim 1, 28, or 55. For the previously stated reasons, independent claim 1, 28, and 55 are allowable. Since any claim that depends from an allowable independent claim is also allowable, the Applicant believes that the Examiner should also withdraw this rejection as to dependent claims 2-27, 29-54, and 56-57.

Response to the Rejection under 35 U.S.C. §§ 102 and 103

The Examiner rejected claims 1-11 and 28-37 under 35 U.S.C. § 102(b) as being

anticipated by Moughanni et al., United States Patent Number 5,608,655 (hereinafter “Moughanni”). The Examiner also rejected claims 1-11 and 28-37 under 35 U.S.C. § 103(a) as obvious over Moughanni in view of the Applicant’s arguments (page 14, lines 6-8). The Examiner rejected claims 11-27 and 38-57 under 35 U.S.C. § 103(a) as being unpatentable over Moughanni, in view of Snyder, United States Patent Number 5,588,038 (hereinafter “Snyder”). Due to the common core of these rejections, the Applicant will treat them together for the sake of brevity. The Applicant respectfully traverses these rejections.

Moughanni

Moughanni discloses for a wireless paging device a system and method for controlling an electro-mechanical device at a remote location. The control of the electro-mechanical device includes, for example, turning a thermostat on or off, turning off an iron accidentally left on, or turning on a car heater before a drive home. The wireless paging device includes a receiver to detect when a particular electro-mechanical device is being remotely accessed. If the electro-mechanical device is remotely accessed, a data processing system stores an incoming message in a buffer and subsequently determines if the incoming message is a command or another type of communication. The data processing system will process a command to provide the proper control signals for controlling the functionality of the electro-mechanical device.

Moughanni further discloses, as an example, an invention that “will allow a person who is working at a distant job site to page a thermostat at their house and dial in a first command to turn on the heater or air conditioner and a second command which specifies the temperature”.

{ Thus, each paging input command in Moughanni generates one command control signal that

instructs an external device to perform one action.

Snyder

Snyder discloses a system and method for communicating with a remote location such as a vehicle or building. The system includes a calling transceiver, a central transceiver, and a satellite. The calling transceiver and the central transceiver control a device located in the remote location by sending transmissions to a forward wireless communication via the satellite and to a pager transceiver located in the remote location. The pager transceiver trips an electro-mechanical device as a result of receiving the transmission. The pager transceiver also has the capacity to transmit reverse wireless communications through the satellite.

Claimed Invention

Independent claims 1, 28, and 55 recite the operation of a remotely located computer-controlled device that performs at least two actions based on each specific command determined as a result of comparing the content data of each received paging message to a set of allowed commands. In contrast, Moughanni discloses a system that receives one paging input command and generates one command control signal that instructs an external device to perform one action. The Examiner argues that Moughanni is analogous to the claimed invention because:

“controlled device (50) performs at least two actions (first and second action) based on specific commands such as turning on the heater or air conditioner (first action/command) and specify a temperature (second action/command) or enable a video recorder (first action) and program the recorder (second action) {col. 2, lines 49-60}.”

The Applicant respectfully asserts that Moughanni is not analogous to the claimed invention because the Moughanni device only performs one action in response to each request sent by the

wireless paging device. Column 2, lines 53-56 disclose that the Moughanni invention will:

“allow a person to ... page a thermostat at their house and dial a first command to turn on the heater or air conditioner and a second command which specifies a temperature.”

Moughanni discloses a system that receives one paging input message and generates one command control signal to perform one action such as turning on a thermostat or setting a temperature. In contrast, the claimed invention performs at least two actions for each received paging message. This would be analogous sending a paging message to turn on the thermostat and set the temperature to 72 degrees.

Thus, Moughanni alone does not teach or suggest the Applicant's system and method of operating a remotely located computer-controlled device. Since Snyder does not make up for the shortcomings of Moughanni, the Applicant respectfully submits that Moughanni and Snyder, taken either alone or in combination, do not teach or suggest the independent claims 1, 28, and 55. Thus, the Applicant respectfully submits that the Examiner should withdraw this rejection as to independent claims 1, 28, and 55.

Claims 2-27, 29-54, and 56-57 depend from either independent claims 1, 28, or 55. For the previously stated reasons, independent claims 1, 28, and 55 are allowable. Since any claim that depends from an allowable independent claim is also allowable, the Applicants believes that the Examiner should also withdraw this rejection as to dependent claims 2-27, 29-54, and 56-57.

The Applicant believes that this Amendment places the application in condition for allowance. If the Examiner disagrees, the Applicant respectfully requests that the Examiner contact the undersigned to discuss the reasons.

AMENDMENT
Serial Number: 09/245,101

IDS Number 113082 (Kraml 5)
Docket Number: 3037-4222

AUTHORIZATION

The Commissioner is hereby authorized to charge any additional fees which may be required for timely consideration of this Amendment under 37 C.F.R. §§ 1.16 and 1.17, including any extension of time, or credit any overpayment to Deposit Account No. 13-4500, Order No. 3037-4222.

Respectfully submitted,
MORGAN & FINNEGAN, L.L.P.



Kenneth P. Waszkiewicz
Registration No. 45,724

SENDER'S ADDRESS:

MORGAN & FINNEGAN, L.L.P.
345 Park Avenue
New York, NY 10154-0053

202-857-7887 - phone
202-857-7929 - fax

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